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Group : 5, 12

14 September 2000

Works Bureau Technical Circular No. 25/99A

**Incorporation of Information on
Construction and Demolition Material Management
in Public Works Subcommittee Papers**

Scope

This Circular amends WBTC No. 25/99 and promulgates the procedures for vetting information on the management of construction and demolition material (C&DM) in Public Works Subcommittee (PWSC) papers, following the policy set out in WBTC No. 25/99.

Effective Date

2. This Circular shall take immediate effect.

Effect on Existing Circulars

3. This Circular amends WBTC No. 25/99. It should be read in conjunction with WBTC No. 12/2000 entitled "Fill Management".

Amendment to WBTC No. 25/99

4. WBTC No. 12/2000 announced re-organisation of the Fill Management Committee into the Marine Fill Committee (MFC) and the Public Fill Committee (PFC). The functions and responsibilities of the Public Filling Sub-committee have been taken up by the PFC since the promulgation of WBTC No. 12/2000 in April 2000. In respect of this re-organization, all the references to "Public Filling Sub-committee (PFSC)" in WBTC No. 25/99 shall be amended to "Public Fill Committee (PFC)".

Procedures for Vetting Information on the Management of C&DM in Public Works Subcommittee Papers

5. Project proponent of a project that is required to incorporate information on the management of C&DM in PWSC papers, as set out in WBTC No. 25/99, shall follow the procedures in Appendix A.

(W S Chan)
Deputy Secretary (Works Policy)

Procedures for Vetting the Information on the Management of Construction & Demolition Material (C&DM) in Public Works Subcommittee (PWSC) Papers

Background

1. Works Bureau Technical Circular No. 25/99 entitled "Incorporation of Information on Construction and Demolition Material Management in Public Works Subcommittee Papers" promulgated the policy and guidelines requiring the project proponent of a project to be upgraded to Category A in the Public Works Programme (PWP) to include information on the management of construction and demolition material (C&DM) in the "Environmental Implications (EI)" section of Public Works Subcommittee (PWSC) Papers. The "EI" section of the PWSC paper must be cleared by the Director of Environmental Protection (DEP) on the advice of the Public Fill Committee (PFC).
2. The project proponent should ensure that the management of C&DM has been duly addressed in the environmental impact assessment (EIA) or the environmental review (ER). He should consult the PFC about the findings and recommendations in relation to the management of C&DM in the EIA or the ER during the planning and design stage.
3. In order to streamline the endorsement of the information on the management of C&DM to be included in the PWSC papers, it is necessary to establish procedures for vetting the relevant sections in the EIA report, the ER report and the PWSC paper in a systematic manner.
4. DEP was delegated by the then Secretary for Planning, Environment and Lands the authority to clear the EI section of the PWSC papers. The project proponent should consult the PFC on the part of the EI section concerning the management of C&DM and incorporate their comments into the draft PWSC paper before it is circulated to DEP for comments and endorsement. The project proponent should indicate the PFC's advice clearly in the circulation memo to DEP. However, the project proponent should note that such arrangement would not pre-empt DEP's decision in clearing the EI section.

Procedures for vetting the C&DM management section of the EIA Report or ER Report

5. The project proponent is required to consult the Secretary of the PFC (the Secretary) of any particular requirements regarding the C&DM management measures to be incorporated into the project profile for submission under the EIA Ordinance for

application of an EIA study brief of the project. A period of **five working days** should be allowed to obtain advice from the Secretary.

6. Prior to formal submission of the EIA Report under the EIA Ordinance, the project proponent should submit the draft EIA report to the Secretary for vetting its C&DM management section.
7. For the ER report, the project proponent should consult the Secretary regarding the proposed C&DM management measures prior to the submission of the ER report to the DEP for endorsement (see para. 4).
8. Under normal circumstances, a period of **fifteen working days** should be allowed to obtain comments from the Secretary about the proposal after the Secretary has received the draft EIA report or ER report and all relevant information and details.
9. For a project which generates surplus C&DM of 300,000 m³ or more, or any reclamation or earth-filling project with imported fill requirements of 300,000m³ or more, the Secretary will report to PFC Members (Members) on the findings and recommendations in relation to the management of C&DM. The Secretary will prepare a PFC Paper by extracting the relevant sections of the management of C&DM in the draft EIA or ER report for the project, and circulate it to Members for their consideration within **five working days** upon receipt of the draft EIA report or ER report. Members are required to provide their comments on the proposal/the PFC paper within **five working days** upon receipt of the PFC Paper.
10. If a unanimous agreement is obtained for the circulated PFC paper, the Secretary will advise the project proponent on behalf of the PFC to confirm the acceptance of the proposed C&DM management measures in the draft EIA or ER report within **five working days upon the receipt of all comments from the Members**.
11. If Members raise comments during the circulation, the Secretary will compile all comments received and advise the project proponent of such comments for incorporating into the draft EIA or ER report within **five working days upon receipt of all comments from the Members**.
12. In case the project proponent disagrees with the comments raised by the Members, the Secretary should liaise with the concerned Members and the project proponent with a view to reaching a compromised solution as soon as possible. Upon request by the project proponent, a special PFC meeting will be called by the Chairman or his representative and the project proponent will be invited to discuss the matter in order

not to delay the finalisation of the draft EIA report or the ER report of the project. The project proponent will be advised of the outcome of the discussion within **five working days** after the meeting.

13. For projects which have imported fill requirements less than 300,000 m³ or generate surplus C&DM less than 300,000 m³, the Secretary will act on behalf of the PFC to confirm the requirements of managing C&DM in these projects. It is expected to obtain the confirmation from the Secretary about the proposal within **five working days** after the receipt of the submission including all relevant information.
14. If for whatever reason, a unanimous agreement cannot be reached in the special PFC meeting regarding any controversial issue, the Chairman may decide to opt for voting. The vote shall be decided by a simple majority of the Standing Members present and written decision given in advance by Standing Members who inform the Chairman of their intended absence. A Standing Member can opt to abstain from voting. Each department and bureau will have one vote whilst CE/PW will exercise one vote on behalf of CED. The Chairman has a casting vote in case of a tie. The Secretary and other CED staff attending the meeting will abstain from voting. The Secretary will report back to the project proponent within **five working days** of a decision by the PFC meeting.
15. A flowchart summarizing the above procedures is attached at **Annex A**.

Procedures for Vetting "EI" section of PWSC Paper in relation to the Management of C&DM

16. The project proponent when submitting the draft PWSC Paper to the PFC for vetting the EI section shall advise the Secretary of the details of any previous submission of EIA or ER report to the PFC. Should the project proponent follow the advice by the PFC provided in the planning and design stage, the Secretary may act on behalf of the PFC to advise the project proponent within **five working days** from the receipt of the draft PWSC paper about the views on the part in relation to C&DM management of the "EI" section of the PWSC paper.
17. In case the proposed C&DM management measures deviate from that previously advised by the PFC in the EIA or ER report or if there is no prior consultation, the Secretary will prepare an assessment report with particular reference to the previously endorsed PFC paper, if any, and/or any supplementary information provided by the project proponent for such revision. The Secretary will circulate the assessment report and the concerned "EI" section of the draft PWSC paper to all Members for comments

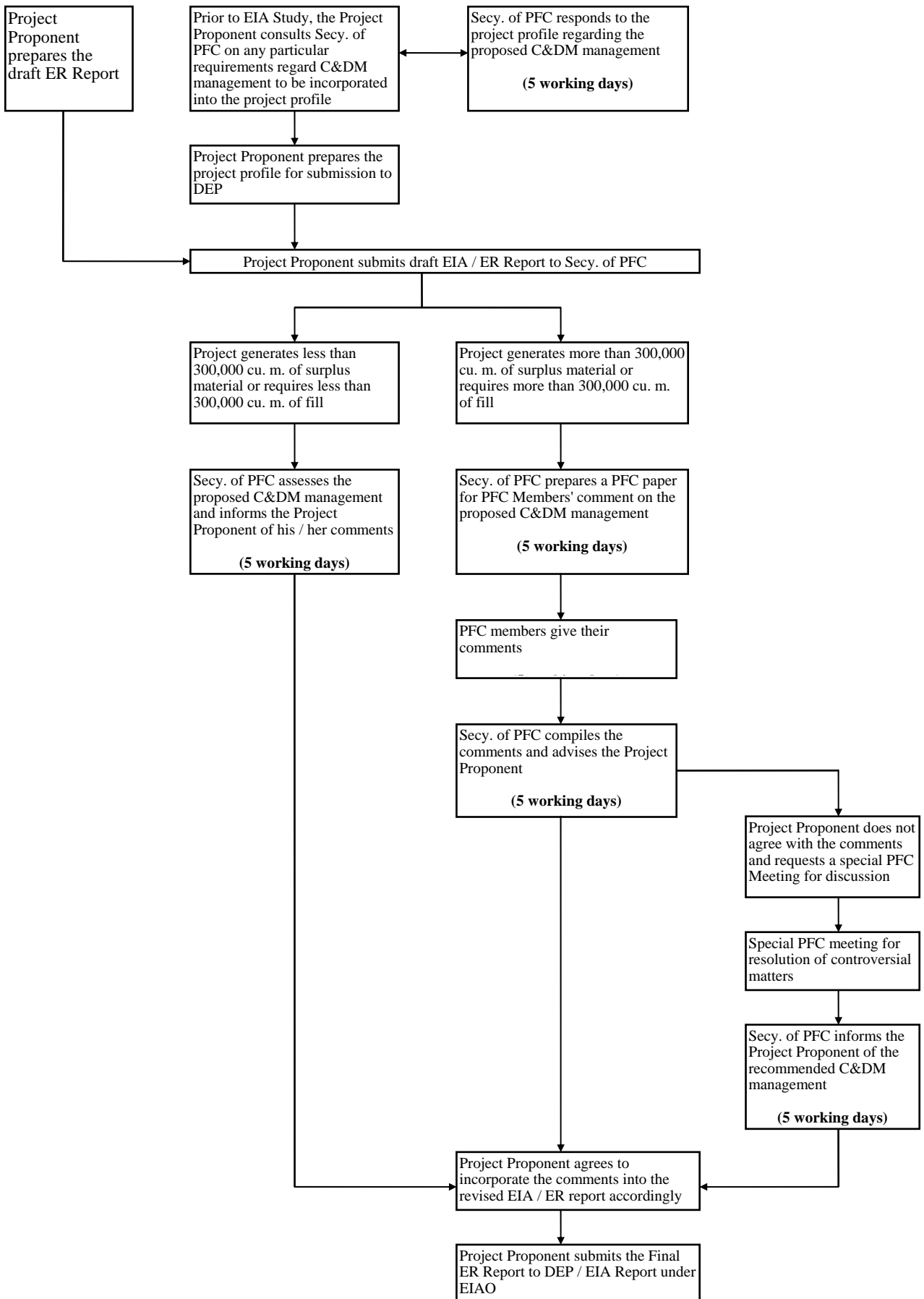
within **five working days** from the receipt of the draft PWSC paper. Members are required to respond within **five working days** upon receipt of the assessment report whether they accept the proposal or the proposed revision.

18. The Secretary will advise the project proponent about the acceptance of the proposal or the proposed revision in managing C&DM if a unanimous agreement is obtained on the proposed "EI" section of the draft PWSC paper.
19. If there is any disagreement from Member(s) about the proposed revision, the Secretary will advise the project proponent to amend the "EI" section of the draft PWSC paper regarding the management of C&DM.
20. Should there be any dispute about the comments between PFC and the project proponent, the Secretary may co-ordinate amongst the concerned Members and the project proponent with a view to reaching a compromised solution. Upon request by the project proponent, a special PFC meeting will be called by the Chairman or his representative to discuss the "EI" section of the draft PWSC paper regarding the proposed C&DM management measures so as to resolve the concerned comments or any related controversial issues in case of urgency. The project proponent will normally be invited to attend the special PFC meeting to elaborate any supplementary information and to answer any query raised by the Members.
21. The Secretary will advise the project proponent in writing regarding the conclusion of the discussion about the "EI" section of the draft PWSC paper within **five working days** after the special PFC meeting.
22. For projects which have imported fill requirement less than 300,000 m³ or generate surplus C&DM less than 300,000 m³, the Secretary can act on behalf of PFC to vet and confirm the acceptance of the proposed C&DM management measures under the "EI" section of the PWSC papers.
23. If for whatever reason, a unanimous agreement cannot be reached in the special PFC meeting regarding any controversial issue, the Chairman may decide to opt for voting. The vote shall be decided by a simple majority of the Standing Members present and written decision given in advance by Standing Members who inform the Chairman of their intended absence. A Standing Member can opt to abstain from voting. Each department and bureau will have one vote whilst CE/PW will exercise one vote on behalf of CED. The Chairman has a casting vote in case of a tie. The Secretary and other CED staff attending the meeting will abstain from voting. The Secretary will report back to the project proponent within **five working days** of a decision by the PFC

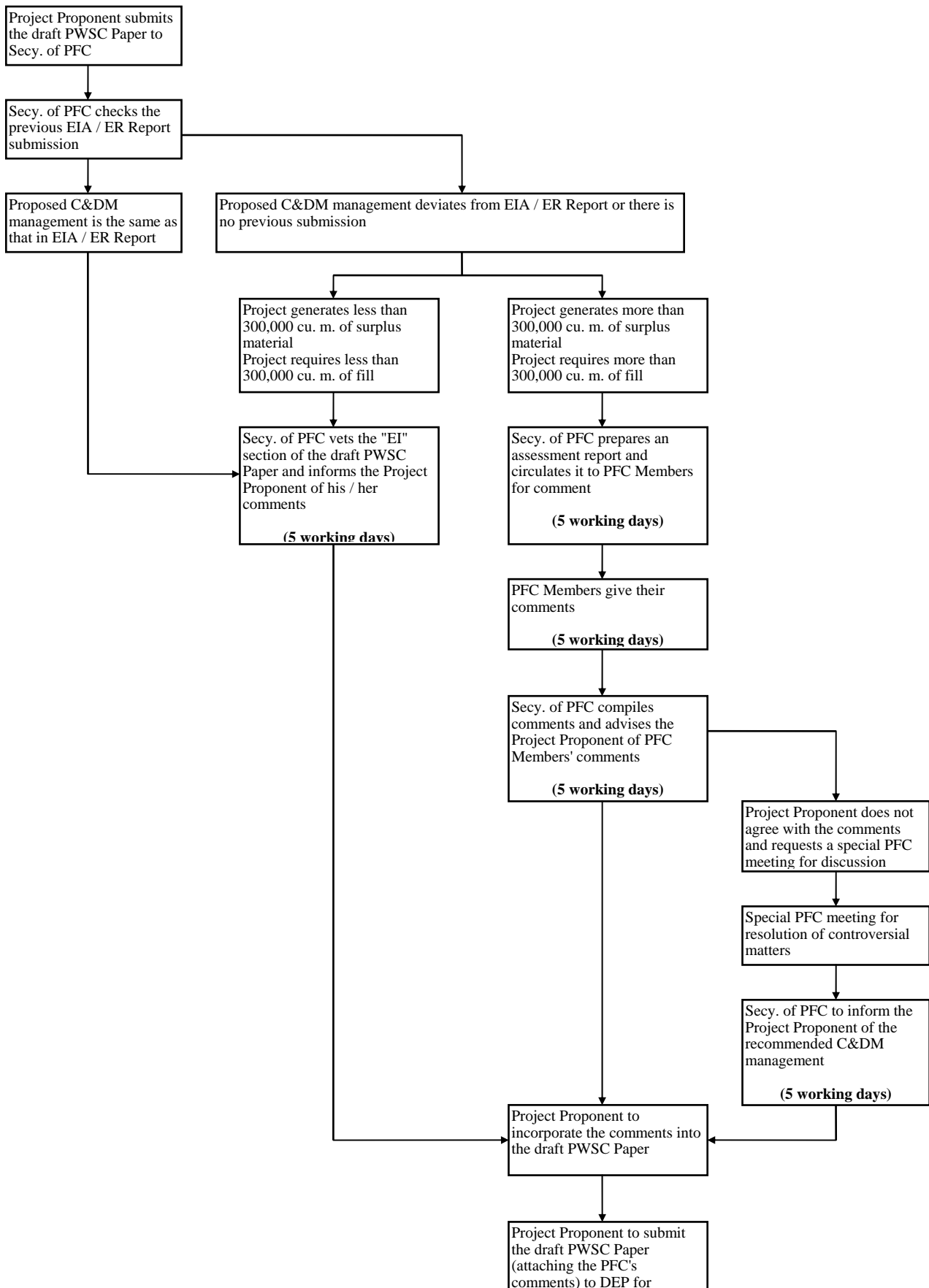
meeting.

24. For projects which have their EIA reports approved under the EIA Ordinance or the ER reports completed and accepted by the DEP prior to the promulgation of WBTC No. 25/99, the project proponents are recommended to submit their proposed C&DM management measures to the PFC for consideration and comments in advance of the submission of the "EI" section of the PWSC paper to the DEP for clearance taking into account the above time frame requirement for vetting.
25. Project proponents are reminded to submit the information on the proposed C&DM management measures to be incorporated in the draft PWSC Paper to the PFC for comments prior to submission to DEP for comments or clearance. It is recommended to enclose the confirmation memo from the Secretary to the draft PWSC paper to be commented or cleared by the DEP in order to avoid unnecessary delay.
26. A flowchart summarizing the above procedures is attached at **Annex B**.
27. For guidance purpose, a copy of standard template for preparing the "EI" paragraph of the PWSC paper regarding the proposed C&DM management measures is enclosed in **Annex C** for reference.

Flow Chart for Vetting of EIA / ER Report



Flow Chart for Vetting of "Environmental Implications" Paragraph of PWSC Paper



Template for incorporating the information on C&DM management into the "Environmental Implications" section of the PWSC Paper

The amount of public fill and C&D waste generated from each project will vary and the requirement on their control and management varies as well. To facilitate the preparation of the "EI" section of the PWSC paper on management of C&DM, the following example paragraphs and information are prepared for reference:

For Non Construction Projects such as Site Investigation/Design Consultancy/Feasibility Study*

"The proposed *site investigation works/design consultancy/feasibility study will *only generate a very small/not generate any construction and demolition material (C&DM). We will require the consultant to fully consider measures to minimize the generation of C&DM and to reuse/recycle C&DM as much as possible in the future implementation of the construction projects.

** delete / amend as appropriate*

For Type 1 Construction Project (C&DM<50,000m³ and C&D waste <10,000m³)

The typical "EI" section should as far as possible include the following main points:-

1. We estimate about XX cubic metres of C&D waste will be disposed of at landfills and YY cubic metres of public fill will be delivered to public filling facilities.
2. We have considered "details to be inserted" in the planning and design stages to reduce the generation of C&DM as far as possible.
3. We will require the contractor to implement necessary measures to minimize the generation of C&DM and to reuse and recycle C&DM.
4. We will control the disposal of public fill and C&D waste to designated public filling facility and landfills respectively through a trip ticket system.
5. We will record the disposal, re-use and re-cycling of C&DM for monitoring purposes.

Note: The "necessary measures" mentioned in item no. 3 can make reference to the waste minimization measures set out in the Recommended Pollution Control Clauses for Construction Contracts prepared and updated by EPD from time to time. The project

proponent should as far as possible implement the measures listed in the clauses and to satisfy himself with genuine reason such as site constraint for not implementing any of these measures.

For Type 2 Construction Project (if not Type 1)

The typical "EI" section should as far as possible include the following main points:-

1. We estimate about XX cubic metres of C&D waste will be disposed of at landfills and YY cubic metres of public fill will be delivered to public filling facilities.
2. We have considered "details to be inserted" in the planning and design stages to reduce the generation of C&DM as far as possible.
- 3*. We will require the contractor to submit a waste management plan to the Engineer for approval. The waste management plan will include appropriate mitigation measures to avoid, reduce, re-use and recycle of C&DM.
- 4* We will ensure that the day-to-day operations on site comply with the waste management plan submitted.
5. We will require the contractor to re-use the excavated material as filling material on site or on other construction sites as far as possible to minimize the disposal of public fill to public filling facilities.
6. To further minimize the generation of construction and demolition materials, we will encourage the contractor to use non-timber formwork and recyclable material for temporary works.
7. We will control the disposal of public fill and C&D waste to designated public filling facilities and landfills respectively through a trip-ticket system. Contractors will be required to separate public fill from C&D waste for disposal at appropriate facilities.
8. We will record the disposal, re-use and re-cycling of C&DM for monitoring purposes.

Notes:

- * *These two paragraphs are for those projects with the waste management plan requirements under the EIA/ER report.*